



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT

Serial No.: 10/622,755)
Filed: July 18, 2003)
For: AN EXPIRATORY LIMB FOR A)
BREATHING CIRCUIT)
Applicant: SMITH et al.)
Examiner: Not yet assigned)
Art Unit: Not yet assigned)
Attorney Ref: 1171/39359A/95A-DIV)

hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

Date

September 15, 2003

Tiffany E. Sexton

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Arlington, VA. 22313/1450

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant is not aware of any material prior art but, in an abundance of caution and candor, Applicant submits the present Information Disclosure Statement and Form PTO-1449. The references cited herein are the same as those cited in the parent application, Serial No. 09/850,797.

JP 2000-24111 is not in the English language, therefore, included herewith is an English translation of same.

JP5052378 is also not in the English language. It is relevant because it discloses a device that's purpose is to obtain a pipe at a low manufacturing cost by a method in which the pipe is made of a belt-like tape, which is wound spirally with its side edge double, and at least a part of the double part of the tape is adhered, so that a peripheral wall of the pipe does not attached to each other when a number of pipes are bundled.

A pipe A is formed by winding a beltlike tape T spirally. The tape T is doubled at its side edge part 1, and a doubled part 2 is welded by heat to each other. As a thickness of the doubled part 2 is larger than that of the other part, a peripheral wall 3 of the pipe A expands outside at the double part 2. Accordingly, only by bundling a number of the pipes A with the peripheral walls 3 of the adjacent pipes A contacted with each other at the doubled parts 2 where a diameter is large, a prescribed space S can be procured between the peripheral walls 3

excluding the doubled part 2. If the pipe is employed in a humidifier of a heat exchanger, a humidifying area or a heat exchanging area can be obtained widely.

With regard to the one page printed from the Sympatex website (<http://www.permapure.com/104.html>) regarding the "Perma Pure Inc. New PD™-series gas dryers", Applicant submits that this document discloses an in-line gas drying product for industrial applications. The Perma Pure dryer element is a bundle of 0.03 inch diameter Nafion tubes housed within a tubular housing. A dry purge gas passes through the housing counterflow to the sample flow through the Nafion tubes. Applicant admits that this page was publicly available at least as early as May 9, 2000. Therefore, consideration of this document is requested.

With regard to the one page printed from the Sympatex website (<http://www.sympatex.com/1questions.html>), Applicant submits that this document discloses a waterproof and breathable product for use with textiles for the clothing industry. Applicant admits that this page was publicly available at least as early as May 4, 2000. Therefore, consideration of this document is requested.

Also enclosed is a copy of a Communication in a corresponding European application.

This Information Disclosure Statement is being filed within three months of the filing date and before the receipt of the first Office Action on the merits and constitutes a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56 exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

Should the Examiner believe a fee is required, the United States Patent and Trademark Office is hereby authorized and requested to charge the fee to the deposit account of the undersigned firm, Account No. 20-1495.

Respectfully submitted,
Dated: April 19, 2003 By: Raiford A. Blackstone
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Form PTO-1449
(Rev. 2-83)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO. 1171/39359A
95A-DIV

SERIAL NO. 10/622,755

**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**

(Use several sheets if necessary)

APPLICANT: Smith et al.

FILING DATE: July 18, 2003

GROUP Not yet assigned

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	4 7 0 8 8 3 1	11/24/87	Elsworth et al.			
	5 9 8 3 8 9 6	11/16/99	Fukunaga et al.			
	5 2 8 4 1 6 0	02/08/94	Dryden			
	4 4 6 3 7 5 5	08/07/84	Suzuki			
	4 4 6 2 3 9 7	07/31/84	Suzuki			
	4 2 6 5 2 3 5	05/05/81	Fukunaga			
	3 8 5 6 0 5 1	12/24/74	Bain			
	4 3 3 7 8 0 0	07/06/82	Carlson et al.			
	5 2 8 4 1 6 0	02/08/94	Dryden			
	5 2 3 3 9 9 6	08/10/93	Coleman et al.			
	4 9 6 7 7 4 4	11/06/90	Chua			
	5 0 4 2 5 0 0	08/27/91	Nortien et al.			
	6 3 9 4 1 4 5	05/28/02	Bailly			
	4 3 4 3 6 7 2	08/10/82	Kanao			
	4 8 0 8 2 0 1	02/28/89	Kertzman			
	4 0 4 8 9 9 3	09/20/77	Dobritz			
	5 4 6 1 1 2 2	10/24/95	Yilgor et al.			
	4 7 0 5 5 4 3	11/10/87	Kertzman			
	5 6 3 7 1 6 8	06/10/97	Carlson			
	5 8 4 8 2 2 3	12/08/98	Carlson			
	5 4 5 4 0 6 1	09/26/95	Carlson			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
						YES	NO
	2 1 3 9 1 1 0	08/15/83	Great Britain				
20	0 0 2 4 1 1 1	01/25/00	Japan				
	5 0 5 2 3 7 8	03/02/93	Japan				
	6 2 1 0 5 0	04/07/94	Europe				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	One page off the Perma Pure Inc. website of the product brochure #104 of the New PD™-Series Gas Dryers.
	Three pages off the SympaTex website of some of the most common questions that are asked and some technical data on the SympaTex membrane.
	United States Patent Application Publication No.: US2002/0195104, Published on December 26, 2002, Inventor Fini et al. entitled: APPARATUS FOR INCREASING THE HUMIDIFICATION OF THE AIR STREAM BREATHED BY A PATIENT
	United States Patent Application Publication No.: US2003/0028139, Published on February 6, 2003, Inventor Inoue; entitled: PNEUMOPERITONEUM GAS HEATING AND HUMIDIFYING APPARATUS AND DEVICE FOR INDUCING PNEUMOPERITONEUM

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 2 of 2Form PTO-1449
(Rev. 2-83)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO. 1171/39359A
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	4 5 0 9 3 5 9	04/09/85	Gedeon et al.			
	5 5 0 1 2 1 2	03/26/96	Psaros			
	6 5 2 3 5 3 8	02/25/03	Wikefeldt			
	5 1 6 0 5 1 1	11/03/92	Lovelock			
	6 4 3 2 1 6 9	08/13/02	Kluwe et al.			
	5 6 2 0 5 0 0	04/15/97	Fukui et al.			
	4 8 7 5 9 0 8	10/24/89	Kikukawa et al.			
	4 8 4 4 7 1 9	07/04/89	Toyomoto et al.			
	4 4 6 9 4 9 5	09/04/84	Hiraizumi et al.			
	3 8 9 5 6 3 0	07/22/75	Bachman			
	3 8 9 1 5 5 6	06/24/75	Richardson et al.			
	3 7 3 5 5 5 9	05/29/73	Salemme			
	3 7 3 5 5 5 8	05/29/73	Skarstrom et al.			
	3 4 3 4 4 7 1	03/25/69	Liston			
	3 3 6 7 8 5 0	02/06/68	Johnson			
	3 3 0 7 3 3 0	03/07/67	Niedzielski et al.			
	3 3 0 3 1 0 5	02/07/67	Konikoff			
	3 2 9 2 3 4 6	12/20/66	Adams			
	3 2 4 5 2 0 6	04/12/66	Bonnet			
	3 2 2 8 8 7 7	01/11/66	Mahon			
	3 1 4 4 3 1 3	08/11/64	Pfefferle			

FOREIGN PATENT DOCUMENTS

										CLASS	SUB CLASS	TRANSLATION	
												YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

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